

MOTION SEEKING PERMISSION TO RESPOND

1. High Desert State Prison
 2. PO Box 650
 3. Indian Springs, NV. 89070
 4. Joseph Mizzoni # 68549

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NO COPY JAN 12 2017	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

7. JOSEPH MIZZONI
 8. Plaintiff
 9. ~~~~~
 10. VS. ~~~~~
 11. ~~~~~
 12. STATE OF NEVADA, et al,
 13. Defendants

CASE# 3:15-CV-00499-MMD-WGC

MOTION TO RESPOND TO
 DEFENDANTS NOTICE OF
 ACCEPTANCE OF SERVICE.

15. Comes Now, Plaintiff Joseph Mizzoni #68549 PRO-SE and
 16. Respectfully ask the Court to Respond to Defendants Notice of
 17. Acceptance of Service on his §1983 Civil Rights Complaint Pursuant
 18. TO USC §1983.

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I.STATEMENT OF FACTS IN SUPPORT I

1. (1) I am the Plaintiff Joseph Mizzoni #68549 Pro SE.
2. See; Haines v. Kerner, 404 US 519. (1972) (Allegations of a prose
3. complaint are held to less stringent standards than formal pleadings
4. drafted by lawyers).
- 5.
6. (FACT 1) Plant filed his § 1983 1st Amended Complaint on the 20th
7. day of March, 2016.
- 8.
9. (Fact 2) Defendants filed a "Notice of Acceptance of Service" on
10. the 30th day of December, 2016, and did accept service for "only"
11. Defendant IRA BRANNON and not Officer Chris Smith.
- 12.
13. (FACT 3) Plaintiff responds to this Court and ask if the Defendants
14. can not or will not take service F.R.C.P. 4(c) acceptance for Chris
15. Smith could plaintiff have a known address to do service
16. on him from Defendants at his last workplace, Northern Nevada
17. Correctional Center? so he can complete service to Mr Smith
18. a defendant on the above case # 3:15-cv-00499-MMD-WGC
19. Under the 14th Amendment to USCA per "ORDER" by this Court
20. dated the 2nd day of September, 2016. And also Form by the
21. US Marshals Service (USM-285 Forms) to complete this service.
- 22.
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- 28.

Respectfully Submitted
 this 9th day of January 2017

BX: Joseph Mizzoni #68549

II.

AFFIDAVIT OF JOSEPH MIZZONE #68549 IN PRO-SE
STATE OF NEVADA)

County of CLARK)

(1) Plaintiff sworn in support of the Motion duly and says;

(2) Plaintiff in PRO-SE Joseph Mizzone #68549 in support of
this affidavit here for a "MOTION TO RESPOND TO DEFENDANTS
NOTICE OF SERVICE" on his §1983 Complaint IN THE UNITED
STATES DISTRICT COURT DISTRICT OF NEVADA and does so
in a truthful manner under 28 USC §1746 and NRS Laws of
perjury and perjury.

RESPECTFULLY SUBMITTED
This 9th day of January 2017

BY: Joseph Mizzone
JOSEPH MIZZONE
#68549

III.CERTIFICATE OF SERVICE BY U.S. MAIL CAP# 3:15CV-00499-MMD-WGC

1. I Joseph Mizzoni #68549 hereby certify pursuant to 28 USC
 2. §1746 that on this 9th day of January, 2017 I mailed a true
 3. correct copy of the foregoing "MOTION TO RESPOND TO DEFENDANTS
 4. NOTICE OF ACCEPTANCE OF SERVICE" and by giving it to a
 5. prison guard at High Desert State Prison Buss Slip # 1674276
 6. sealed and postage prepaid, and addressed to:

7.
 8. (1) CLERK, U.S. DISTRICT COURT

(2) OFFICE OF ATTORNEY GEN. NOLAN

9. DISTRICT OF NEVADA

100 CARSON STREET

10. 400 SOUTH VERGINDA STREET, Room #301

CARSON CITY, NV. 89201-4717

11. RENO, NEVADA - 89501

12.

13. (3) ADDRESS OF PLAINTIFF

14. JOSEPH MIZZONI #68549

15. HIGH DESERT STATE PRISON

16. PO Box 650

17. INDOAN SPRINGS, NV. 89070

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BY: Joseph Mizzoni
JOSEPH MIZZONI
 #68549